

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SOHEIL ZAERPOUR & THE PEOPLE OF THE
UNITED STATES,

Plaintiffs,

v.

JP MORGAN CHASE BANK, BANK OF
AMERICA, UBS, CREDIT SUISSE, CITIBANK,
HSBC, GOLDMAN SACHS, DEUTSCHE BANK,
ROYAL BANK OF SCOTLAND, ET AL.,

Defendants.

Case No. 1:21-cv-09680-JPC-JLC

**NOTICE OF DEFENDANTS' JOINT MOTION
TO DISMISS PLAINTIFF'S COMPLAINT**

PLEASE TAKE NOTICE that, upon the accompanying papers described herein, and upon all prior pleadings and papers filed herein, that:

Defendants Bank of America, N.A., Citibank, N.A., Credit Suisse Securities (USA) LLC, Deutsche Bank AG, Goldman Sachs & Co. LLC, HSBC Bank USA, N.A., JP Morgan Chase Bank, N.A., NatWest Markets Plc, and UBS Securities LLC hereby move this Court, before the Honorable James L. Cott, United States Magistrate Judge for the Southern District of New York, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007 (the "Court"), on a date and time to be determined by the Court, for an order pursuant to Rule 12 of the Federal Rules of Civil Procedure, dismissing with prejudice all claims against them in plaintiff's Complaint filed on November 19, 2021 (ECF No. 1), based on (among other things) failure to effect service of process, lack of personal jurisdiction, and failure to state a claim, and for such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE of the accompanying Memorandum of Law and Declarations of Andrew A. Ruffino and Richard G. McCarty in support of defendants' motion.

PLEASE TAKE FURTHER NOTICE that pursuant to paragraph II.C. of Judge Cott's Individual Rules of Practice, defendants e-mailed plaintiff on January 31, 2022 to seek agreement as to the following proposed briefing schedule:

- Feb. 10, 2022: Defendants file motion to dismiss
- Mar. 3, 2022: Plaintiff files opposition
- Mar. 17, 2022: Defendants file reply papers

This proposal essentially adds one week to the normal timelines for opposition and reply briefs specified in S.D.N.Y. Local Civil Rule 6.1(b). Plaintiff did not object or propose a different schedule, but provided the following response:

“i might not be able to file an opposition since it requires to include a memorandum of law if i am not mistaken. i have no (zero) legal representation at this moment by no fault of my own. this case needs to be handled by the district attorney directly as an international criminal case involving the large banks and possibly yet unidentified criminals. i understand this not the answer you are looking for but that is the best i can share with you at this point. Feel free to share my response with the court.


sincerely,
Soheil Zaerpour
economist/pilot”

Defendants plan to proceed based on the unopposed schedule set forth above, absent an order from the Court prescribing a different schedule.

Dated: February 10, 2022

The request is granted. Plaintiff shall oppose by March 3, 2022 and Defendants shall reply, if at all, by March 17, 2022.

SO ORDERED.
Date: February 11, 2022
New York, New York


JOHN P. CRONAN
United States District Judge

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¹ Plaintiff purports to assert claims against “Bank of America,” which is not an accurate and complete name of a legal entity. Bank of America, N.A. reserves all rights and does not waive any defenses.

² Plaintiff purports to assert claims against “Citibank,” which is not an accurate and complete name of a legal entity. Citibank, N.A. reserves all rights and does not waive any defenses.

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³ Plaintiff purports to assert claims against “Credit-Suisse,” which is not an accurate and complete name of a legal entity. Credit Suisse Securities (USA) LLC reserves all rights and does not waive any defenses.

⁴ Plaintiff purports to assert claims against “Deutsche Bank,” which is not an accurate and complete name of a legal entity. Deutsche Bank AG reserves all rights and does not waive any defenses.

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⁵ Plaintiff purports to assert claims against “Goldman Sachs,” which is not an accurate and complete name of a legal entity. Goldman Sachs & Co. LLC reserves all rights and does not waive any defenses.

⁶ Plaintiff purports to assert claims against “HSBC,” which is not an accurate and complete name of a legal entity. HSBC Bank USA, N.A. reserves all rights and does not waive any defenses.

⁷ Plaintiff purports to assert claims against “JP Morgan Chase Bank,” which is not an accurate and complete name of a legal entity. JP Morgan Chase Bank, N.A. reserves all rights and does not waive any defenses.

⁸ Plaintiff purports to assert claims against “Royal Bank of Scotland,” which is not an accurate and complete name of a legal entity. NatWest Markets Plc, formerly known as The Royal Bank of Scotland plc, reserves all rights and does not waive any defenses, including as to personal jurisdiction.

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*Signatures used with permission pursuant to S.D.N.Y. ECF Rule 8.5

⁹ Plaintiff purports to assert claims against “UBS,” which is not an accurate and complete name of a legal entity. UBS Securities LLC reserves all rights and does not waive any defenses.